

# TRINITY COUNTY MARSHAL'S OFFICE

## CIVIL PROCESS & FEE SCHEDULE - 2008

The **California Government Code** requires advance payment of fees for service of process. Make checks payable to the "Trinity County Marshal's Office." If you have an order for waiver of service fees issued by a Superior Court, enclose it with your process. The following is a general list of fees/deposits for service effective January 1, 2008. Please contact our office at 530-623-1400 for information on other fees, deposits and process from outside of California.

PROCESS	FEE
Affidavit and Order	\$30.00
Assessment Fee on Disbursements of Collection	\$10.00
Bank Levy	\$30.00
Levy on Safe Deposit Box (additional fee after receipt of MOG)	\$125.00
Bank's fee to Drill Safe Deposit Box	Actual Cost
Bench Warrant	\$105.00 Deposit
Receive and Process Warrant	\$30.00
Cancel the Service of the Warrant	\$28.00
Unable to Locate Person After Due Diligence	\$60.00
Arrest, which shall include Arrest & Release on Promise to Appear	\$75.00
Book Levy – On Property Held by Levying Officer	\$30.00
Cancellation of Service Fee – Prior to Completion	\$28.00
Citation, Certification of Correction – CVC40616	\$15.00
Civil Subpoena	\$30.00
Claim of Plaintiff / Defendant	\$30.00
Complaint – without Summons	\$30.00
Counter Claim or Counter Affidavit	\$30.00
Cross Complaint – Small Claims	\$30.00
Earnings Withholding Order (EWO)	\$30.00
If EWO is mailed by certified mail, add actual postage fees and costs	
Eviction – Writ of Possession – Real Property	\$125.00
Posting eviction (\$75.00), plus	
Removing occupants and putting a person in possession (\$50.00)	
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Reposting Eviction	\$30.00
Failure to take possession after service of notice to vacate	\$28.00
Execution – Writ of (Taking Immediate Possession)	\$85.00
Possession of Personal Property	
Installation of Keeper	\$30.00
Keeper Fees	
8 hours or less	\$120.00
8 – 12 hours	\$240.00
Not found – non installation	\$40.00
Keeper Levy	\$85.00 + \$205.00 Deposit
Notary	\$10.00
Notice – Landlord/Tenant	\$30.00
Notice of Motion	\$30.00
Order for Appearance of Examination	\$30.00
Order to Show Cause	\$30.00
Prejudgment Claim to Right of Possession with Copy of Summons and Complaint	\$30.00
Sale – Conduct or Postpone Sale of Real or Personal Property	\$85.00
Summons and Complaint and supporting documents	\$35.00
Summons and Complaint with Writ – Unlawful Detainer	\$30.00
Till Tap	\$85.00

Please allow up to 10 business days for process of service.  
The service date may impact the notice requirements you must provide to the other party in your case, prior to a scheduled court date.

## INSTRUCTIONS FOR PROCESS SERVICE

1. **Instruction for Process:** All documents must be accompanied by an original letter of instruction, signed and dated by the plaintiff/requestor or their attorney of record. If you do not have an attorney and you are representing yourself in pro per, you may complete the Service Instruction form available in the Marshal's Office. Please be sure to sign and date the Service Instruction form where indicated.

A wage levy requires an application for earnings withholding order instead of a letter of instruction. The applications and forms are available in our office. Instructions for garnishments, levies and earning withholding orders must be signed by the Attorney of Record or by the judgment creditor acting as his/her own attorney.

2. **Service Requirements:** For all services, we require a set of the document(s), front and back, for *each person to be served plus an additional copy for our records*. For levies and evictions, we require the original writ of execution plus three copies, front and back. Please include more copies if you have more than one levy.
3. **Proof of Service:** Include a self-addressed stamped envelope with the documents to be served so we can return the proof of service to you. The proof of service will be mailed to you after your process has been served or a certificate of non-service will be mailed to you if our office has been unsuccessful in serving your process.
4. **Fees are per Service:** Fees apply to each person served. Two defendants' equal two services, even if they are at the same address; therefore, you will be charged for two separate services.
5. **Eviction - Writ of Possession of Real Property:** Evictions are usually completed on Fridays subject to the availability of the Deputy Marshals.

To complete an eviction, we require the original writ of possession *plus* three copies, and a letter of instruction. The letter of instruction must be signed by the attorney of record or plaintiff if there is no attorney. *No one else may sign the instructions*. A fee of \$125.00 is required. A lockout date and time will be established by the Marshal's Office upon processing the writ of possession. We will contact you or your agent via telephone to advise you of the date and time that you are to meet us at the property to perform the eviction.

6. **Disbursement of Funds:** Pursuant to California Code of Civil Procedures Section 706.026, levy monies received by the Marshal/Sheriff are disbursed at least once every 15 days.
7. **Marshal's/Sheriff's Fees:** The Marshal's Office is entitled to its fees whether or not the service is complete. Three attempts are made; however, we cannot guarantee that our service will always be successful (CA Govt. Code Section 26736 & 26738). In addition, CA Govt. Code Section 26746 provides for the Marshal a \$10.00 assessment fee to be collected from the judgment debtor on each disbursement of money paid to a judgment creditor.